U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

MAR 13 2001

DOT-E 12660

EXPIRATION DATE: March 31, 2001

1. GRANTEE: BP Chemicals, Inc.
Naperville, IL

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time one-way transportation by motor vehicle of two freight containers, containing a Class 9 liquid in drums, without marking and labeling. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.301(a), 172.302(c) and 172.322(a)(2) in that marking is not required and § 172.400(a) in that labeling is not required.

5. BASIS: This emergency exemption is based on the application of BP Chemicals, Inc., dated March 13, 2001, submitted in accordance with § 107.117 and a determination that it is necessary to preclude serious economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| **Proper Shipping Name/ Hazardous Materials Description** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
|---|---|---|---|
| Environmentally hazardous substances, liquid, n.o.s. (Octanol) | 9 | UN3082 | III |

MAR 13 2001

7. SAFETY CONTROL MEASURES: Packagings are drums as prescribed by the HMR for the material in paragraph 6.

8. SPECIAL PROVISIONS:

a. This exemption only authorizes a one-time one-way transportation of two freight containers, numbered UGMU859447-0 and UGMU872380-0, via contract carrier, Total Distribution Services, from Los Angeles Harbor, CA to Expeditors International in Long Beach, CA.

b. MARKING - The marking of the packaging required under §§ 172.301(a) and 172.322(a)(2) and labeling under § 172.400(a) are waived. The marking of the bulk packaging with the exemption required under 172.302(c)is waived but the number "DOT-E 12638" must be marked on the shipping papers.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None other that as required by the HMR.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

- Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for

Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

MAR 13 2001

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW